APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/598,668	06/20/2000	Gavin Peacock	PALM-3215	5356

7590   04/21/2005

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EXAMINER
NGUYEN, QUANG N

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>15 February 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-21</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-21</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>20 June 2000</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Detail Action

1.   This Office Action is in response to the Amendment and Response to the Office

Action filed on 02/15/2005. Claims 1-21 remain for examination.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   **Claims 1-2 and 8-9 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Eggleston et al. (US 6,101,531), herein after referred as

Eggleston, in view of Joseph (US 6,038,603).

4.   As to claim 1, Eggleston teaches a method of transferring data from handheld

device comprising the steps of:

a) forwarding information from an application on said handheld device to an

exchange manager *(forwarding information from applications on mobile end computer*

system 201 to a data transfer manager or exchange unit 206) on said handheld device

for communicating said information to an external device, said step a) performed by an application resident on said handheld device (Eggleston, Fig. 2 and C5: L23-48);

b) in response to said information, said exchange manager referencing an exchange library associated with said identified transport mechanism from a plurality of exchange libraries, wherein said exchange library defines a communication protocol for said identified transport mechanism and wherein said exchange manager supports a plurality of communication protocols *(the data transfer manager or exchange unit 206 referencing/accessing data encoder/decoder 203 to accommodate the system communications protocols and a transceiver and a modem to connect to a wireless or wireline communications network, i.e., to provide the communications functionality between the mobile end computer system 210 and an external host computer system such as a local email post office 240, a remote client-server host 255, an administrator host server 260, a further database host server, a multimedia host, a voice processor, etc. via a communications server 220)* (Eggleston, Fig. 2 and C5: L23-48); and

c) communicating said information to a system, identified by said destination *(communicating said information to communication server 220, VMS 230, local email post office 240, remote client-server host 255, and/or administrator host 260, etc. that is external to mobile end computer system 201)*, that is external to said handheld device using said communication protocol, said step c) performed by said identified transport mechanism (Eggleston, Fig. 2 and C5: L5-10).

However, Eggleston does not explicitly teach said information having associated therewith a Uniform Resource Locator (URL) containing an identified transport

mechanism for communicating said information and also a destination for said information.

In the related art, Joseph teaches a URL string *(http://Server_A/File_Store/File)* containing an identified transport mechanism *(http://)* and a destination *(Server A)* that a browser/application uses to communicate with another computer (Joseph, Fig. 2C and C2: L20-64).

Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to combine the teachings of Eggleston and Joseph to include an information having associated therewith a Uniform Resource Locator (URL) containing an identified transport mechanism for communicating said information and also a destination for said information since such methods were conventionally employed in the art to allow the data transfer exchange manager of various network devices uniquely identifying a resource by URL, which indicates a destination server on which the resource is located, the filename of the resource and the protocol to be used in retrieving the resource.

5.   As to claim 2, Eggleston-Joseph teaches the method of claim 1, wherein said handheld device is a palmtop computer system comprising: a processor coupled to a bus; a memory unit coupled to said bus; a screen coupled to said bus; and a plurality of transport mechanisms *(a palmtop/handheld computer inherently comprises a processor, a memory unit, a screen coupled to a bus and a plurality of transport mechanism)*.

6.   Claims 8-9 are corresponding system claims of method claims 1-2; therefore, they are rejected under the same rationale.

7.   Claims 3-7 and 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston-Joseph, further in view of Bodnar et al. (6,295,541), herein after referred as Bodnar.

8.   As to claims 3-4, Eggleston-Joseph teaches the method of claim 1, wherein the data transfer manager or exchange unit 206 accommodates data transfer over a wide variety of networks via data encoder/decoder 203 using various communications protocols including radio frequency (rf) or infrared protocol or proprietary wireless carrier protocols (Eggleston, C5: L30-42), but does not explicitly teach said plurality of communications protocols comprising an email protocol and a synchronization protocol.

In the related art, Bodnar teaches a palmtop computer capable of synchronization, infrared, radio frequency or wireless communications, and email communications (Bodnar, Fig. 2 and C10: L42-53).

Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to combine the teachings of Eggleston-Joseph and Bodnar to include email, infrared, radio frequency and synchronization protocols in said communications protocols since such methods were conventionally employed in the art to provide additional options for communicating between a broad range or networks and devices.

9.   As to claim 5, Eggleston-Joseph-Bodnar teaches the method of claim 1, wherein said information is a data file *("datasets" in C2: L23-33 of Bodnar and "File" from Fig. 2C of Joseph)*.

10.   As to claim 6, Eggleston-Joseph-Bodnar teaches the method of claim 1, wherein said information is an application program *(here "Official Notice" is taken as a "File" from Fig. 2C of Joseph and "datasets" of Bodnar might well be an application program)*.

11.   As to claim 7, Eggleston-Joseph-Bodnar teaches the method of claim 1, but does not explicitly teach prompting the user for any unspecified criteria such as protocol to use or/and destination.

"Official Notice" is taken that both the concept and advantages of a system prompting a user for unspecified criteria are well known and expected in the art.

Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to prompt the user for unspecified criteria such as protocol to use or/and destination since such methods were conventionally employed in the art to ensure the data is manipulated into the recognizable format before sending out the receiving device using the compatible protocol.

12.   Claims 10-14 are corresponding system claims of method claims 1-7; therefore, they are rejected under the same rationale.

13.   Claims 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston-Joseph-Bodnar, further in view of Skarbo et al. (6,317,777), herein after referred as Skarbo.

14.   As to claim 15, Eggleston-Joseph-Bodnar teaches the method for transferring/retrieving data as in claim 1 including the step of creating a separate instance of the GUD records for every data type, or every mapping of records files *(i.e., creating a record/file indicating a data type of a file)* (Bodnar, C39: L25-29), but does not explicitly teach the storing said file in memory and associating said file with a data set associated with said application.

In the related art, Skarbo teaches a method for web-based storage and retrieval of documents/files, comprising the step of storing the document onto local disk storage 354, and accessing a document registry 358 stored within a system registry to identify an associated application for the document (Skarbo, C10: L42-56).

Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to combine the teachings of Eggleston-Joseph-Bodnar and Skarbo to store said document/file in memory and associating said document/file with a data set associated with said application since such methods were conventionally employed in the art to allow the system to be flexible to accommodate data transfer from a data origination device over a wide variety of networks to a wide variety of destination devices using various communications protocols with different data formats/types.

15.   Claims 16-21 are corresponding method claims of method claims 2-7; therefore,

they are rejected under the same rationale.

Response to Arguments

16.   In the remarks, Applicant argued in substance that

(A)   Prior Arts fail to teach or suggest, "an exchange manager referencing an

exchange library associated with said identified transport mechanism from a plurality of

exchange libraries" as claimed.

As to point (A), before addressing the argument, Examiner submits that the

language of the limitation cited in the quotation "an exchange manager referencing an

exchange library associated with said identified transport mechanism from a plurality of

exchange libraries" could be given a broad and reasonable interpretation in light of the

specification as *all data sent through the exchange manager can be converted, using an*

exchange library, to any of a number of well know Internet standard formats, i.e., to any

of appropriate communications protocols, to allow data to be exchanged between the

handheld device and a host computer system (Specification, page 25, lines 8-22).

Eggleston (US 6,101,531) teaches a method of exchanging data between a

mobile end system computer 201 and an external host computer 220, wherein *the data*

transfer manager or exchange unit 206 of the mobile end system computer 201

accesses a data encoder/decoder 203 to accommodate the system communications

protocols and a transceiver and a modem *to connect to a wireless or wireline*

communications network, i.e., to provide the communications functionality between the

mobile end computer system 210 and the external host computer system 220, using the

selected appropriate protocol **(Eggleston, Fig. 2 and C5: L23-48).**

Hence, Prior Arts do teach or suggest, "an exchange manager referencing an

exchange library associated with said identified transport mechanism from a plurality of

exchange libraries" as claimed.

(B)   Prior Arts fail to teach or suggest, "creating a universal stream file of said

file, wherein said stream file indicates a data type of said file," as claimed.

As to point **(B)**, **Bodnar (US 6,295,541)** teaches a method for web-based storage

and retrieval of documents/files, comprising the step of creating a separate instance of

the GUD records for every data type, or every mapping of records files *(i.e., creating a*

record/file indicating a data type of a file) **(Bodnar, C39: L25-29).**

Hence, Prior Arts do teach or suggest, "creating a universal stream file of said

file, wherein said stream file indicates a data type of said file," as claimed.

17.   Applicant's arguments as well as request for reconsideration filed on 02/15/2005

have been fully considered but they are not deemed to be persuasive.

18.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

19.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (571) 272-3886.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (571) 272-3880. The fax phone number for the organization is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).
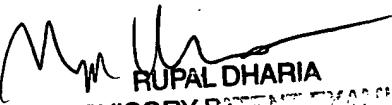
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